

ANNUAL REPORT  
OF THE  
CENSUS DATA ADVISORY COMMITTEE



Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204

November, 2012

# INDIANA LEGISLATIVE COUNCIL

## 2012

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Vice-Chairperson

Fort Wayne

Speaker Brian Bosma

Chairperson

Indianapolis

Senator Vi Simpson

Bloomington

Representative Linda Lawson

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Senator James Arnold

LaPorte

Representative Vanessa Summers

Indianapolis

Senator Timothy Lanane

Anderson

John M. Ross  
Executive Director  
Legislative Services Agency

## **CENSUS DATA ADVISORY COMMITTEE**

### **Membership Roster**

#### **Senators**

**Sue Landske  
Cedar Lake**

**Randall Head  
Logansport**

**Timothy Lanane  
Anderson**

**James Arnold  
LaPorte**

#### **Representatives**

**Kathy Richardson, Chairperson  
Noblesville**

**Robert Behning  
Indianapolis**

**John Bartlett  
Indianapolis**

**Phil GiaQuinta  
Fort Wayne**

#### **Staff**

**Robert Rudolph  
Attorney for the Committee**

**Chris Baker  
Fiscal Analyst for the Committee**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## **I. STATUTORY AND LEGISLATIVE COUNCIL DIRECTIVES**

The responsibilities of the Census Data Advisory Committee are found in IC 2-5-19-19 which reads as follows:

"Sec. 19. The committee shall do the following:

- (1) Advise and assist the Bureau of the Census in the preparation and organization of decennial census data for use by the general assembly in reapportioning the following:
  - (A) The house of representatives of the general assembly.
  - (B) The senate of the general assembly.
  - (C) The United States House of Representatives.
- (2) Work with the Bureau of the Census in defining the boundaries of census blocks in Indiana.
- (3) Coordinate Indiana's efforts to obtain an accurate population count in each decennial census.
- (4) Work with other state and federal agencies to assist in the local review program conducted in Indiana.
- (5) Work with the code revision commission to prepare legislation for introduction in the regular session of the general assembly that meets during the year of the effective date of the decennial census under IC 1-1-3.5 to propose amendments to Indiana law to reflect the population information obtained as a result of the decennial census.
- (6) Study costs and other relevant aspects of acquisition by the state of a geographic information system.
- (7) Make recommendations concerning changes or amendments to IC 3 (the elections code) to the general assembly, including legislation for the implementation and administration of the Help America Vote Act of 2002 (42 U.S.C. 15301 through 15545).".

The Legislative Council assigned the following additional responsibilities to the Committee:

"A. Ballot security for an absentee ballot transmitted to and from a voter by mail (SEA 175); and

B. Connection of the statewide voter registration list established under IC 3-7-26.3 and files maintained by the department of revenue (SEA 175)."<sup>1</sup>

## **II. INTRODUCTION AND REASONS FOR STUDY**

The Committee met during the 2012 Interim primarily to consider proposed changes to Indiana election law and to consider the topics assigned by the Legislative Council. Legislators

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1. See, **LEGISLATIVE COUNCIL RESOLUTION 12-01** (As Adopted May 23, 2012) which can be found at the General Assembly Homepage.

and interested persons did not raise other issues to be considered by the Committee.

### **III. SUMMARY OF WORK PROGRAM**

The Committee met on August 16, 2012, and September 20, 2012, to receive information and hear testimony related to the Committee's work for the 2012 Interim.

At the August 16 meeting, the Committee considered and discussed the Committee's business for the Interim. The Committee heard testimony and discussed the issues of ballot security and voter list maintenance. The Committee also heard a report from the Office of Census Data.

At the September 20 meeting, the Committee heard a presentation of Preliminary Draft (PD) 3144, concerning various election law matters. The Committee also discussed the draft and heard testimony about the matters covered by the draft.

### **IV. SUMMARY OF TESTIMONY**

#### **August 16 Meeting**

At the August meeting, the Committee heard testimony from representatives from the Association of Clerks of Circuit Courts of Indiana ("Association"). The representatives of the Association discussed the recently enacted requirement that an absentee ballot application request the applicant to provide the last four digits of the applicant's Social Security Number. The representatives expressed concern that the requirement would discourage some voters from casting absentee ballots; the representatives also said that they thought that Indiana law as in effect before the requirement was enacted adequately protected the integrity of absentee ballots. The representative of the Association of Indiana Counties concurred in the opinion expressed by the representatives of the Association.

The Committee also heard from the Morgan County Circuit Court Clerk about the process, experience, and expense recently in Morgan County relating to updating the list of the County's registered voters. The Clerk described the difficulties of trying to maintain an accurate list of voters while complying with many requirements of federal law. A representative from Common Cause of Indiana also spoke about the issue, advocating a greater role of state government in the process and allocation of state resources to assist the Indiana counties in the process.

The Committee heard a report from the Office of Census Data relating to the work of the Office concluding the state redistricting process. At the request of a Committee member, representatives from the Office also discussed the issue of reallocation of census numbers relating to prisoner populations for redistricting purposes.

## September 20 Meeting

The Committee heard from representatives from the Indiana Election Division about proposed changes to Indiana election law embodied in Preliminary Draft (PD) 3144.<sup>2</sup>

A representative of the Indiana Friends described an incident of a candidate's election materials being confiscated at the polls by a county political party. The former Jennings County Republican Party Chair described incidents of absentee ballot fraud that occurred in Jennings County at the 2010 elections.

The Committee was unable to assemble a quorum at its final meeting of the 2012 Legislative Interim and consequently, did not make recommendations and could not adopt an annual report.

Minutes for the Committee's meetings referred to in this report can be accessed from the General Assembly Homepage at:

<http://www.in.gov/legislative/>

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2. PD 3144 dealt with the following topics: voter registration, nomination of candidates for office, filing of candidate statements of economic interests, withdrawal of candidates, applications for absentee ballots, processing absentee ballot applications, procedures for local elections, voting system standards, filling vacancies in office, and election of school board members. The Preliminary Draft also would make several technical changes.

## WITNESS LIST

Maureen Bard	Office of Census Data, Legislative Services Agency
Danielle Coulter	Association of Indiana Counties
Trent Deckard	Democratic Co-Executive Director, Indiana Election Division
Marshall Gibson	Indiana Friends
Brad King	Republican Co-Executive Director, Indiana Election Division
Peggy Mayfield	Morgan County Circuit Court Clerk
Tracey Pike	Former Jennings County Republican Party Chairman
Jo Ann Stewart	Wayne County Circuit Court Clerk Secretary, Association of Clerks of Circuit Courts of Indiana
Mark Stratton	Office of Census Data, Legislative Services Agency
Julia Vaughn	Policy Director, Common Cause of Indiana
Beth White	Marion County Circuit Court Clerk